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in note four directly contradicts the text in a dictum; those in notes one and three deal with the question whether the plaintiff was an invited person and do not pass upon the question whether the defendant was bound to admit him; those in note two deal with the same question as that in note one, but there is a dictum in one of them to the effect that the railroad company was under a duty to admit a person in the plaintiff's position. The notes at the foot of page 407 are cited to support the proposition that a railroad is bound to accept all express companies applying to be carried. It should be noted that the second named case and the Texas case are based upon statutes. The proposition for which the New Jersey case is cited is not in fact involved or suggested in the case. The Pennsylvania case supports the text. The English cases cited do not seem to pass upon the duty of a railroad to carry express companies, but discuss the railroad's duty not to discriminate in its charges when the railroad carries for those who collect goods at one end of the transit and deliver them at the other end. In note four on page 1101 the Minnesota and the Virginia case cited alone support the text. In the Maine and Wisconsin cases the courts refused to pass upon the question discussed in the text, finding it unnecessary to their decisions. The Massachusetts case has nothing to do with the subject under discussion, while the California case seems to be in conflict with the text.

It is a pity that, through lack of critical proof reading or from some other cause, the style of this work is sometimes marred by bad sentences, such as the fifth sentence in § 860, the fourth sentence in § 1130, the sixth sentence in § 1160, the second sentence in § 1198, the sixth sentence in § 1325, and the second sentence in § 1361. But when all is said it is still true that the author has made the legal profession his debtor by attempting a systematic and complete presentation of the law of public service. Undoubtedly lawyers and students will find his book as a whole both interesting and instructive.

C. K. B.

COMMENTARIES ON THE LAW OF MUNICIPAL CORPORATIONS. Fifth edition, By JOHN F. DILLON. Boston: LITTLE, BROWN & Co. 1911. Five Volumes. pp. lxi, xiii, xii, xiii, 3064, 738.

For forty years the legal profession has been under obligation to Judge Dillon for the fruits of his researches in the law of municipal corporations. The influence of his work in guiding the trend of judicial decision is apparent from the almost countless instances in which the courts have cited the author's statement of general principles of law, his criticism of what he considers judicial aberrations, his convictions upon issues of public policy and his suggestions as to the considerations which should control the decision of questions which had not then arisen for adjudication. Propositions announced in the first two editions of 1872 and 1873, without citation of authority, because there was none to cite, are repeated in the later editions of 1881, 1890, and 1911, buttressed by decisions grounded upon the same assertion found in the earlier edition. Such scientific satisfaction is possible only to an author who appreciates with reverent regard the distinction between a treatise and a digest or an encyclopedia, and who stalwartly declines to compile a catalogue in the name of scholarly achievement. Judge Dillon's work compels

the highest respect for its scientific presentation of the law as it exists and its statesmanlike discussion of the law as it should be: masterly induction and generalization (e. g. Secs. 827, 908, 924, 1443, 1649) combined with acute analysis and criticism of doctrines deemed errant (e. g. Secs. 249, 289, 320, 1194, 1261, 1281, 1714-16).

The fifth edition is less a revision of the fourth than a reprint with an extended supplement. 1338 pages are expanded to 3064. Of this increase, 520 pages are occupied with entirely new chapters dealing with problems arising from the municipal management of public utilities, constitutional limitations on the power of municipalities to incur debts, and constitutional prohibitions against special legislation relating to cities. Approximately 900 pages of text and accompanying notes are required for new sections on minor topics and points not treated in the fourth edition, leaving only about 300 pages of the increase devoted to the expansion of previously published sections and notes. These new sections and chapters are rendered necessary by the enormous increase in the last twenty years of legislative and constitutional enactments relating to cities, and the changes in functions and business methods prompted by the demands of present conditions and by increasing standards of efficiency. The more important of the added sections relate to civil service laws and pension legislation; liability and removal of officers; statutory requirements with respect to municipal contracts, including formalities in connection with bids, stipulations as to hours of labor and employment of union labor, contractor's bonds and the claims of laborers and material men; the taxation of inter-state commerce; the application of the foot-frontage rule to the apportionment of benefits in levying special assessments; problems arising from the recent extensions of the use of the streets and from the expanding control of municipalities over private property and private action under the exercise of the police power; and questions relating to the validity of municipal bonds, including the implied power to issue negotiable securities, statutory requirements as to their issue, and the development of the law of the last two decades upon the topic of estoppel by recitals.

These additions to the text of the fourth edition are not of uniform excellence. Some are on a par with the best work of previous editions (e. g. Secs. 922 *et seq.*, 1125-28) while others incline one to infer the aid of editorial assistants less gifted than the learned author. On the whole, however, the new matter of the fifth edition presents an adequate and comprehensive exposition of the existing law upon the topics treated. The revision has afforded us a work of greatly increased utility without substantial discredit to the general standard of scientific merit which gave the former editions their high place in the ranks of legal literature.

T. R. P.

THE PANAMA CANAL: A Study in International Law and Diplomacy. By HARMODIO ARIAS, B. A., LL. B. London: P. S. KING & SON. 1911. pp. xvi, 192.

This volume purports to give a survey of the diplomatic antecedents of the Panama Canal, followed by a discussion of its position in international law. The survey is sufficient for the author's purposes, and correctly shows that the idea of exclusive American control of inter-oceanic ways was not the view originally held by the United States but that it developed gradually as the latter became conscious of its